

**REMARKS**

Claims 1, 2, 4-15, and 17-20 are now present in the application. Claim 16 is canceled without prejudice to or disclaimer of the subject matter contained therein. Claims 1, 4, 6, 10, 14, 15, and 19 have been amended. Claims 1, 6, and 15 are independent. Reconsideration of this application, as amended, is respectfully requested.

**Reasons for Entry of Amendments**

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal by placing the claims in compliance with 35 U.S.C. § 112, first and second paragraph, and canceling claim 16. This Amendment was not presented at an earlier date in view of the fact that Applicants did not fully appreciate the Examiner's position until the Final Office Action was reviewed.

**Specification Objection**

The Examiner has objected to the specification because it allegedly introduces new matter into the disclosure.

In response, the Applicants respectfully submit that, in the Amendment dated June 30, 2003, the addition of "wing portion" preceding "wing portion absorbent core" in the paragraph beginning on page 6, line 19 of the specification, was done merely to be responsive to the Examiner's rejection under 35 U.S.C. 112, second paragraph. The Examiner's remarks on page 3, last paragraph of the Office Action dated March 28, 2003, stated that clarification and/or correction are required.

Moreover, the term "wing portion" is not new matter, but rather has been fully supported on line 1 of the same paragraph, as originally filed.

Reconsideration and withdrawal of this objection are respectfully requested.

**Rejection Under 35 U.S.C. §112, first and second paragraphs**

Claims 1, 2, 4, 5, 10-13, and 17 stand rejected under 35 U.S.C. §112, first paragraph, as including subject matter not contained in the specification, and claim 10 stands rejected under 35 U.S.C. § 112, first paragraph for lack of enablement.

Claims 10 and 14 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim the subject matter which Applicants regard as the invention.

These rejections are respectfully traversed.

In response, the Applicants respectfully submit that claims 1 and 17 as currently written are fully supported by the original disclosure.

The Examiner suggests (see Office Action dated March 28, 2003) that the claimed liquid-retentive wing portion absorbent core having an absorptive area of  $80 \text{ cm}^2$  or less (or no larger than  $80 \text{ cm}^2$ ), fails to exclude an absorptive area of zero. In arriving at the conclusion that the absorptive area may be zero, the Examiner seems to have overlooked the disclosure on page 6, line 2-18 of the specification, which discloses *inter alia*, "the wing portion absorbent core 32 can absorb body fluids" (line 11), "the wing portion absorbent core 32 are preferably formed of a sheet-like material having reduced liquid dispersibility" (lines 14-15).

The Applicants respectfully submit, if it is disclosed that "the wing absorbent core 32 can absorb fluids" as described in the specification of the present application, it seems illogical that the Examiner could possibly conclude that an absorptive area of zero is possible. If the Examiner were to extend this illogical thinking, he might even conclude that the absorptive area of the liquid-retentive wing portion absorbent core is a negative number (which also would be less than  $80 \text{ cm}^2$ ), implying that the wing portion absorbent core, gives off, rather than absorbs liquid.

In view of the above arguments and support in the original disclosure, the Applicants respectfully submit that the changes made to the specification in the Amendment of June 30, 2003, are in fact, fully supported by the original disclosure, and that no new matter has been added.

In response to the rejection of claim 10, the Examiner will note that claim 6 is amended to eliminate the term "elongate" preceding "absorbent body". Thus, the specification provides full enablement for the invention set forth in claim 10.

Further, the Examiner will note that claims 10 and 14 are amended herein to address each of the issues specifically pointed out by the Examiner under 35 U.S.C. §112, second paragraph.

Applicants believe that these amendments and arguments are sufficient to overcome the Examiner's rejections under 35 U.S.C. §112, first and second paragraphs. Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

**Rejections Under 35 U.S.C. §102(b) and §103(a)**

Claims 6-8, 14-16, and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Mavinkurve (US 5,275,591).

Claims 9 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mavinkurve.

Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Mavinkurve, and further in view of Fung et al. (US 5,423,786).

These rejections are respectfully traversed.

**Amendments to Independent Claims 6 and 15**

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the present application, independent claim 6 is amended herein to recite a combination of elements directed to a sanitary napkin including the absorptive sheet and the at least one other sheet being provided under the elongate absorbent body and extending outwardly on the right and left sides thereof, said absorptive sheet and said at least one other sheet being bonded to each other with an adhesive agent over substantially an entirety thereof, except that said absorptive sheet and said at least one other sheet are not bonded to each other at non-coated areas of a predetermined width formed on said wing portions along opposite side edges of said absorbent body.

In addition, independent claim 15 is amended herein to include the subject matter of dependent claim 16, and therefore now recites a combination of elements directed to a sanitary napkin, wherein each of said rear wing portions including a liquid-retentive wing portion absorbent core extending substantially an entire width of said sanitary napkin in partial overlapping relationship with said elongate absorbent body, wherein said absorbent body includes a liquid-retentive body absorbent core, and wherein said body absorbent core and said wing portion absorbent core are isolated from each other through an isolating member.

The novel limitations set forth in independent claim 6, as amended herein, are supported in the specification, for example, on page 9, lines 19-24, and are clearly shown in Fig. 6, which illustrates said absorptive sheet 32 and said at least one other sheet 31 being bonded to each other with an adhesive agent 34 over substantially an entirety thereof, except that said absorptive sheet 32 and said at least one other sheet 31 are not bonded to each other at the non-coated areas 35 of a predetermined width formed on said wing portions 3 along opposite side edges of said absorbent body 2.

The novel limitations set forth in independent claim 15, as amended herein, are clearly shown in Fig. 2, which illustrates said absorbent body 2 includes a liquid-retentive body absorbent core, and wherein said body absorbent core 21 and said wing portion absorbent core 32 are isolated from each other through an isolating member 4.

Applicants respectfully submit that the combinations of elements as set forth in independent claims 6 and 15 are not disclosed or made obvious by the prior art of record, including Mavinkurve.

With reference to claim 6 as amended herein, Mavinkurve discloses fixing the cover 38 and the backing 35 through the absorbent tissue 30, but does not teach forming non-coated areas. It is the object of the present invention to provide a wing portion which is easy to bend at the non-coated area thereby enhancing the handling performance (see page 11, lines 21-23 of the specification). Due to the function of the non-coated areas, the wing portion is

not easy to form a folding habit and it can be attached to the adjacent undergarment in a more stable manner, thus further enhancing slip preventing performance and absorbing performance (see page 13, lines 12-15 of the specification). Mavinkurve discloses the barrier seal 10 which isolates the absorbent tissue 30 from the core 34 for the purpose of reducing the transmission of body fluid, and thus not for the purpose of handling performance. In addition, there is no teaching or suggestion in Mavinkurve with respect to the non-adhered portions of two sheets.

With reference to amended claim 15 as amended herein, the barrier seal 10 of Mavinkurve has a different structure from the isolating member 4 of amended claim 15. In view of Mavinkurve's descriptions that "it is preferred that the absorbent tissue 30 be an extension of the absorbent layer 31" in lines 38-40 of column 6, and that "at least a portion of the cover 38 or a portion of the backing 35 are melted through the absorbent tissues 30 and/or 31 to form body fluid sealing means 10" in lines 8-18 of column 7, the absorbent tissue 30 should be the extension of the absorbent layer 31 and present in the barrier seal 10. That is, the absorbent tissue 30 and the core 34 are not completely isolated from each other. Therefore, the Examiner's statement on page 6 of the Office Action that "With reference to claim 16, Mavinkurve discloses a sanitary napkin wherein the absorbent body includes a liquid retentive body absorbent core (34), and wherein the body absorbent core and the wing portion absorbent core (30 or 31)

are isolated from each other through an isolating member (10) as set forth in figure 3" is not correct.

Thus, Applicants respectfully submit that the combinations of elements as set forth in independent claims 6 and 15 are not disclosed or made obvious by the prior art of record, including Mavinkurve, for the reasons explained above. Accordingly, claims 6 and 15 are in condition for allowance.

**Amendments to Dependent Claims 4 and 19**

The Examiner will note that dependent claims 4 and 19 are amended herein to recite, wherein after 1 minute after dropping the 1 g of the physiological solution onto said liquid-retentive wing portion absorbent core, the solution disperses onto an area of the wing portion absorbent core measuring approximately 50 cm<sup>2</sup> and not exceeding 80 cm<sup>2</sup>, said liquid-retentive wing portion absorbent core being comprised of absorption paper which is embossed in a dotted pattern of 1 to 30 dots/cm<sup>2</sup>.

Support for the changes to claims 4 and 19 can be found in the specification, for example on page 7, lines 3 and 4.

All dependent claims of this application are also in condition for allowance due to their dependence upon allowable independent claims, or due to the additional novel limitations contained therein.



Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §102(b) are respectfully requested. Further, the rejections under 35 U.S.C. §103(a) are now moot.

All claims of the present application are now in condition for allowance.

### **CONCLUSION**

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

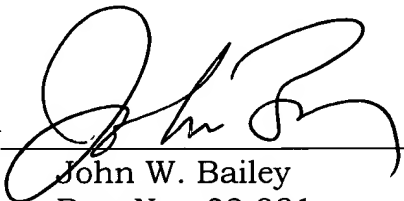
In the event there are any matters remaining in this application, the Examiner is invited to contact Carl T. Thomsen, Registration No. 50,786 at (703) 205-8000 in the Washington, D.C. area.

Attached hereto is a marked-up version of the changes made to the application by this Amendment.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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